

REMARKS/ARGUMENTS

Claims 1 to 18 are presently pending in this patent application. Applicants reserve the right to pursue subject matter that remains after the prosecution of the present application in a future continuing patent application, for example, a division.

Discussion of the Restriction Requirement

The Action requires applicants to select one of the following three groups of allegedly patentably distinct inventions for examination.

- I. Claims 1 to 9 and 17, drawn to an antibody or polypeptide capable of binding human NOGO or NiG polypeptide;
- II. Claims 10 to 14, drawn to a polynucleotide encoding a polypeptide capable of binding human NOGO or NiG polypeptide, and an expression system; and
- III. Claims 15, 16 and 18, drawn to methods of treating diseases associated with nerve repair and the use of a binding molecule for human NOGO or NiG polypeptide as a pharmaceutical.

Applicants elect provisionally the claims of Group I. Because the elected Group I claims are directed to a product and the non-elected Group III claims are directed to processes of using such a product, applicants request that the claims of non-elected Group III be rejoined if the claims of elected Group I are allowed.

The Action includes also a request that applicants elect a single SEQ ID NO:.. Applicants elect SEQ ID NO: 6. Claims 1 to 9 and 17 are generic to the elected species. Applicants acknowledge that upon the allowance of a generic claim, applicants will be entitled to consideration of claims to additional species which are written in dependant form or otherwise include all the limitations of an allowed generic claim as provided by 37 C.F.R. § 1.141.

Conclusion

Applicants believe that the foregoing constitutes a complete and full response to the Action of record. If there are any issues that can be resolved by a telephone conference, the Examiner is invited to call the undersigned attorney.

The Commissioner is hereby authorized to charge any fees required to Deposit Account No. **19-0134** in the name of Novartis.

Respectfully submitted,

/Cozette M. McAvoy/

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